

MINUTES OF A REGULAR COUNCIL MEETING HELD SEPTEMBER 08, 1980

PRESENT:

Leland J. Roper	Mayor and Presiding
Max Bennett	Councilman
Thomas Callister	Councilman
Willis Morrison	Councilman
Don Bird	Councilman
Cecil Losee	Councilman

ABSENT:

None

OTHER SPRESENT:

Neil Forster	City Superintendent
Dorothy Jeffery	City Recorder
Warren Peterson	City Attorney
Frank Crane	City Resident
Ronald Wright Jr.	Contractor
Bill Campbell	KNAK Radio Station
Steven Young	Millard Community Council

Mayor Roper being present called the meeting to order at 8:00 p.m.
Dorothy Jeffery being present acted as secretary.

The Mayor stated the meeting was a regularly called council meeting and that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided the Millard County Chronicle, the Millard County Gazette and the local radio station KNAK and to each member of the governing body by mailing copies of the Notice and Agenda two (2) days before to each of them.

MINUTES

Minutes of a Regular Council meeting held August 25, were read by each councilman and discussed after which Councilman Callister MOVED the minutes be approved, MOTION SECONDED by Councilman Bennett and received the unanimous affirmative vote of all councilmen present.

Mayor Roper acknowledged Mr. Franks Crane's attendance at the meeting and ask if he wished to address the council, Mr. Crane told council of a problem that exists in his neighborhood, he and his neighbors had talked about it and they asked him to meet with the City Council on behalf of the entire neighborhood, he then displayed pictures of junked vehicles on the street in front of his property and stated some of them had been there for many months. On the east side of the street, vehicles were parked in such a manner that a person could not walk on the sidewalk. May of the residents in that area would like to walk to and from town but do not feel safe when they have to walk out in the street.

Many of the neighbors have spoken to the owners of the aforementioned vehicles but to date nothing has been done to eliminate the problem which creates not only an inconvenience to the residents but is also a safety hazard and reduces the value of our property.

Mr. Crane then stated he was at the meeting to request assistance from the city, he told council he would be willing to circulate a petition regarding this problem

if it would help.

After a general discussion of the issue and the possibility of curb and gutter being installed in that block, the council told Mr. Crane they would get legal council on the issue and report to him on what action will be taken.

Mayor Roper requested Council approval to hire Fay Walker for the 1980-81 school years as the school crossing guard. Councilman Callister MOVED the Council grant the request, SECONDED by Councilman Losee, Motion carried.

There was a general discussion of the activities at the Utah League of Cities and Towns Convention held in Salt Lake City, September 04, 05 and 06. Councilman Morrison informed Council of a meeting he had attended at the convention in regards to the House Bill 303. It was thought that House Bill 303 was dead but it is in fact still a viable bill and if the Council so desires they should inform the responsible officials of their views on this bill. Councilman Bird also stated this bill will take a large percentage away from public education. It was also mentioned that an additional .05¢ a gallon sales tax on gasoline to put more monies into the transportation dept. may be recommended to the legislation.

The Council congratulated Mayor Roper on his appointment to the Board of Directors of the Utah League of Cities and Towns.

Councilman Bennett requested Council permission to order hand held and mobile radios for the Delta City Police Department in the amount of \$3000.00. Permission granted.

Mayor Roper asked each councilman to review the budget comparison sheet they had received, after which there was a thorough discussion of the budget.

Mayor Roper informed council of a proposed staff meeting to evaluate the present purchase order system being used by Delta City and the procedure used for the treasurers report.

There will be a meeting on sharing monies with the county scheduled for Wednesday Sept 10th at 7:00 p.m. at the County Courthouse in Fillmore, all councilmen were encouraged to attend.

Mayor Roper told Council of some unfinished business that required action.

1. The outstanding bill to Valley Engineer.
2. Councilman Morrison's on site inspection of the fire inspection available at the Continental Lime Plant.

After a discussion of the Valley Engineer bill, a MOTION to deny the payment and inform Valley Engineer by letter of the Council's decision was made by Councilman Callister, SECONDED by Councilman Bird, Motion carried.

There was a general discussion on the public comments received at the public hearing held earlier on the Annexation Policy Amendments.

Due to the public comment at the public hearing and minor deficiencies in the previous draft of the proposed amendments to the Annexation Policy, Councilman Morrison MOVED Attorney Peterson be instructed to redraft the document and present the corrected draft at council meeting September 15th, MOTION SECONDED by Councilman Bennett, Motion carried.

Attorney Peterson presented the following three (3) Resolutions for consideration of Council approval.

1. A Resolution Authorizing Membership in the Millard Inter-Governmental Cooperative Alliance (MICA). Approving the ARTicles of Association and Interlocal Cooperation Act Agreement of the Millard Inter-Governmental Cooperative Alliance and terminating participation in the Millard Community Council.
2. A Resolution Authorizing Publication of a Resolution Approving Membership in the Millard Inter-Governmental Cooperative Alliance and Terminating Membership in the Millard Community Council.
3. A resolution Appointing a Representative and Authorized Attorney to the Millard Inter-Governmental Cooperative Alliance.

After a discussion of the above presentation, Councilman Morrison MOVED Mayor Roper be appointed as the respresentative of the City of Delta to the Millard Inter-Governmental Cooperative Alliance, and Atoorney Warren Peterson be designated as the authorized attorney for the City of Delta to review and advise the City Council as the sufficiency of the Articles of Association and Interlocal Cooperation Act Agreement of the Millard Inter-Governmental Cooperative Alliance and to act as the authorized attorney for the City of Delta for the purposes of Section 11-13-9, Utah Code Annotated (1953), as amended, and to approve the aforementioned three resolutions as presented to council, MOTION SECONDED by Councilman Losee and the voting was as follows:

Councilman Thomas Callister	Yea
Councilman Don Bird	Yea
Councilman Max Bennett	Yea
Councilman Cecil Losee	Yea
Councilman Morrison	Yea

All three (3) resolutions were duly signed by Delta City Mayor, Leland J. Roper and attested by City Recorder, Dorothy Jeffery in the open meeting.

Attorney Peterson displayed a plat showing property owned by the LDS Church located at 52 North 100 West with a request to vacate the alley east of their property and sell said alley to the LDS Church.

A general discussion followed regarding ownership of the property, past policy made by Delta City Council not to vacate any additional streets or alleys, and access to the property adjoining the alley and the fact that the building owned by the Church is in part located on the alley.

Councilman Callister made a MOTION an easement to the aforementioned alley be given to the LDS Church until such time as the building is removed, and table the request for the vacating of the alley in lieu of a required petition from the LDS Church, MOTION SECONDED By Councilman Bennett and received the unanimous affirmative vote of all councilmen present.

Attorney Peterson asked for further discussion of the request made by Frank Crane for assistance with the removal of the junked vehicles in his neighborhood, after the discussion Councilman Morrison MOVED Attorney Peterson be insturcted to prepare the aforementioned petition for Mr. Crane requesting enforcement of the Delta City Nuisance Abatment Ordinance, MOTION SECONDED by Councilman Bird and recieved the unanimous affirmative vote of all councilmen present.

Mayor Roper asked Superintendent Forster to give an undate on the status of the Bunker Block 17 Subdivison, Mr. Forster stated there had been considerable amount of work done, the water line, lacking three (3) feet; the sewer lacking two (2) man holes is completed. However the required Security Bond is still not in place.

Bill Campbell asked council if there was any legal way a single lot located just outside of the city limits could be annexed if it is not contiguous to the city.

It was explained to Mr. Campbell the state statute must be complied with which states the property proposed for annexation must be contiguous.

There was a general discussion of the requirements of a single lot proposed for annexation.

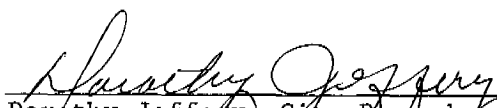
Councilman Bird told council he had been given a bill for a water pump that was replaced by Mr. Jim Robson at his place of business which he feels was damaged by the sand in the city water line, after discussion of the issue it was the opinion of the council the city was not liable for the pump.

Superintendent Forster informed council that city employee Kenneth Poulsen has completed his probation period of employment and was eligible for city insurance and Utah State Retirement. Mr. Forster also stated after his evaluation of Mr. Poulsen he recommended to council a merit raise of \$50.00 per month be given to Mr. Poulsen as he is doing an excellent job.

Councilman Bennett MOVED Mr. Poulsen be granted the merit raise of \$50.00 per month and given the city insurance overage and Utah State Retirement, MOTION SECONDED by Councilman Callister and received the unanimous affirmative vote of all councilmen present.

There being no further business or comment, Councilman Callister MOVED the meeting be adjourned, SECONDED by Councilman Bennett, meeting adjourned at 10:45 p.m.


Leland J. Roper Mayor


Dorothy Jeffery, City Recorder

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Don Bird
Max Bennett
Cecil Losee
Willis Morrison
Thomas Callister

Mayor and presiding
Councilman
Councilman
Councilman
Councilman
Councilman

ABSENT:

None

OTHERS PRESENT:

Neil Forster
Dorothy Jeffery
Warren Peterson

City Superintendent
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City Attorney